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**From:** Eric Schaffer  
**Sent:** Tuesday, May 16, 2023 10:56 AM CDT  
**To:** Rukavina, Davor  
**Subject:** RE: [EXT] Prosperity Update

Davor,

Good work by the Trustee. I assume you're turning the amended motion and order. I'd like to see them before they are filed, but I promise that I won't need much time to review.

You are right that the issues are well-developed and I agree that we are dealing with purely legal issues. What discovery would be relevant here? The parties to the settlement want to get this before the Court without unnecessary delay. Can we have a five minute chat on this?

Regards,  
Eric

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**From:** Rukavina, Davor <drukavina@munsch.com>  
**Sent:** Tuesday, May 16, 2023 11:13 AM  
**To:** Adam Langley <Adam.Langley@butlersnow.com>; Cam Hillyer <Cam.Hillyer@butlersnow.com>; 'Sullivan, Ryan' <Ryan.Sullivan@us.dlapiper.com>; 'Sixkiller, Laura' <Laura.Sixkiller@us.dlapiper.com>; Silverstein, Paul <PaulSilverstein@andrewskurth.com>; Guffy, Philip <PGuffy@hunton.com>; Eric Schaffer <eschaffer@stonecipherlaw.com>; Argeroplos, Victoria <vargeroplos@jw.com>  
**Cc:** Berghman, Thomas <tberghman@munsch.com>; Funk, Brenda <bfunk@munsch.com>  
**Subject:** [EXT] Prosperity Update

All:

The Bondholders have agreed to increase the carveout to \$150k, and Prosperity has agreed to pay the Trustee \$200k from its own funds. With those revisions, the Trustee will proceed with the settlement pursuant to an amended motion and amended settlement agreement.

I promised that we would push the hearing out a bit so that no one would be prejudiced. If the unsecured creditors intend to object to this settlement, then please let's discuss an agreeable reset hearing and objection/briefing schedule, perhaps late next week. I think the issues are well developed and do not need significant additional time, as the only change is an increase of consideration to the Estate by \$250k. The unsecureds have also mentioned they are going to want some discovery. It is my position that the bondholder issue is a purely legal one, but if there is to be discovery, then let's please discuss an agreed schedule for that as well. It is my hope we can convert Thursday's hearing to a status conference and present proposed agreed-upon dates to the Judge.

I would propose a zoom late afternoon today or morning tomorrow.

Thank you

**Davor Rukavina, Esq.**

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